

City of Miami Beach - City Commission Meeting
Commission Chambers, 3rd Floor, City Hall
1700 Convention Center Drive
November 19, 2003

Mayor David Dermer
Vice-Mayor Jose Smith
Commissioner Matti Herrera Bower
Commissioner Simon Cruz
Commissioner Luis R. Garcia, Jr.
Commissioner Saul Gross
Commissioner Richard L. Steinberg

City Manager Jorge M. Gonzalez
City Attorney Murray H. Dubbin
City Clerk Robert E. Parcher

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ATTENTION ALL LOBBYISTS

Chapter 2, Article VII, Division 3 of the City Code of Miami Beach entitled "Lobbyists" requires the registration of all lobbyists with the City Clerk prior to engaging in any lobbying activity with the City Commission, any City Board or Committee, or any personnel as defined in the subject Code sections. Copies of the City Code sections on lobbyists laws are available in the City Clerk's office. Questions regarding the provisions of the Ordinance should be directed to the Office of the City Attorney.

Call to Order - 11:00 a.m.
Inspirational Message and Pledge of Allegiance
Requests for Additions, Withdrawals, and Deferrals

REGULAR AGENDA

R7 - Resolutions

- R7A A Resolution Adopting The Certificate Of The Results Of The November 18, 2003 Run-Off Election For The City Of Miami Beach, Adjourning The Canvassing Board For Said Run-Off Election, And Declaring Candidates Elected.

(City Attorney's Office)

Administer the Oath of Office to the Newly Elected Mayor and Commissioners in Group (IV), (V), and (VI).

- R7B A Resolution Electing Commissioner Jose Smith As Vice-Mayor For A Term Commencing On November 20, 2003, And Terminating On February 29, 2004, Or On Such Date When A New Vice-Mayor Is Thereafter Elected.

(City Clerk's Office)

End of Regular Agenda

OFFICE OF THE CITY ATTORNEY

City of Miami Beach

F L O R I D A



MURRAY H. DUBBIN
City Attorney

Telephone: (305) 673-7470
Telecopy: (305) 673-7002

COMMISSION MEMORANDUM

DATE: NOVEMBER 19, 2003

**TO: MAYOR DAVID DERMER
MEMBERS OF THE CITY COMMISSION
CITY MANAGER JORGE GONZALEZ**

**FROM: MURRAY H. DUBBIN
CITY ATTORNEY** *MH Dubbin*

**SUBJECT: CITY RESOLUTION ACCEPTING RESULTS OF NOVEMBER 18, 2003 CITY OF
MIAMI BEACH RUN-OFF ELECTION, ADJOURNING CANVASSING BOARD,
AND DECLARING CANDIDATES ELECTED.**

The attached Resolution adopts the certificates of results of the City of Miami Beach's November 18, 2003 Run-Off Election, adjourns the City of Miami Beach Canvassing Board for said Run-Off Election and declares all candidates elected.

Passage of this Resolution effectively concludes City Commission action relative to the November 18, 2003 Run-Off Election.

JKO:ed
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RESOLUTION NO. _____

**A RESOLUTION OF THE MAYOR AND CITY COMMISSION
OF THE CITY OF MIAMI BEACH, FLORIDA, ADOPTING
THE CERTIFICATE OF THE RESULTS OF THE
NOVEMBER 18, 2003 RUN-OFF ELECTION FOR THE CITY
OF MIAMI BEACH, ADJOURNING THE CANVASSING
BOARD FOR SAID RUN-OFF ELECTION, AND DECLARING
CANDIDATES ELECTED.**

WHEREAS, on November 5, 2003, Vice-Mayor Jose Smith, Commissioner Richard Steinberg, and the City Manager's designee Mayra Diaz Buttacavoli were designated by the Miami Beach City Commission to act as its Canvassing Board representatives regarding the conduct of the November 18, 2003 Run-Off Election for the City of Miami Beach; and

WHEREAS, the results of the November 18, 2003 Run-Off Election have been certified by the City of Miami Beach Canvassing Board; and

WHEREAS, pursuant to said Run-Off Election, the candidate for City Commissioner of the City of Miami Beach, Group No. IV, has received the number of votes cast as reflected more specifically within the Certification of Election attached hereto as Composite "A" and incorporated herein.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that having canvassed the returns of the November 18, 2003 Run-Off Election of the City of Miami Beach, it hereby adopts the certificate of the City of Miami Beach Canvassing Board as to the results of said Run-Off Election and it is hereby ordered that the Certificate of Elections and this Resolution be recorded in the minutes of the meeting as a permanent record of the results of said election; be it further resolved that by adoption of this Resolution the City Commission appointed Committee acting as Canvassing Board for the City of Miami Beach November 18, 2003 Run-Off Election composed of Vice-Mayor Jose Smith, Commissioner Richard Steinberg, and the City Manager's designee Mayra Diaz Buttacavoli has discharged its duties for said Run-Off Election and said Committee is hereby adjourned; and be it further resolved that as a result of the City of Miami Beach November 4, 2003

General Election and the November 18, 2003 City of Miami Beach Run-Off Election the following candidates for Mayor and City Commissioner Groups IV, V and VI are hereby declared **elected**:

for Mayor: David Dermer

for City Commissioner Group IV: _____

for City Commissioner Group V: Luis R. Garcia

for City Commissioner Group VI: Matti Herrera Bower

PASSED and ADOPTED this 19th day of November, 2003.

MAYOR

ATTEST:

CITY CLERK

JKO\ed
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**APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION**

11/16/03 11-6-03
City Attorney Date

CITY OF MIAMI BEACH
COMMISSION ITEM SUMMARY



Condensed Title:

A Resolution electing Commissioner Jose Smith as Vice-Mayor for a term commencing on November 20, 2003, and terminating on February 29, 2004, or on such date when a new vice-mayor is thereafter elected.

Issue:

Shall Commissioner Jose Smith be elected as Vice-Mayor?

Item Summary/Recommendation:

Pursuant to Section 2.04 of the Miami Beach City Charter: "The City Commission shall, at its first meeting after each general election, which shall be within three (3) days after the general election (or within thirty (30) days after the run-off election, if a run-off election is held) elect from its membership a Vice-Mayor who during the absence or disability of the Mayor, shall perform the duties of Mayor".

The City Commission established a policy of rotating the position of Vice-Mayor every four (4) months. Since 1994, the rotation has been by Commission Group number. Commissioner Jose Smith (Group I) is next in the rotation to serve as Vice-Mayor.

Advisory Board Recommendation:

N/A

Financial Information:

Amount to be expended:

Source of
Funds:



Finance Dept.

	Amount	Account	Approved
1			
2			
3			
4			
Total			

City Clerk's Office Legislative Tracking:

Robert E. Parcher, City Clerk

Sign-Offs:

Department Director	Assistant City Manager	City Manager

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AGENDA ITEM

R7B

DATE

11-19-03

CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
www.ci.miami-beach.fl.us



COMMISSION MEMORANDUM

To: Mayor David Dermer and
Members of the City Commission

Date: November 19, 2003

From: Jorge M. Gonzalez
City Manager

Subject: **A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ELECTING COMMISSIONER JOSE SMITH AS VICE-MAYOR FOR A TERM COMMENCING ON NOVEMBER 20, 2003, AND TERMINATING ON FEBRUARY 29, 2004, OR ON SUCH DATE WHEN A NEW VICE-MAYOR IS THEREAFTER ELECTED.**

ANALYSIS

Pursuant to Section 2.04 of the Miami Beach City Charter: "The City Commission shall, at its first meeting after each general election, which shall be within three (3) days after the general election (or within thirty (30) days after the run-off election, if a run-off election is held) elect from its membership a Vice-Mayor who during the absence or disability of the Mayor, shall perform the duties of Mayor".

The City Commission has established a policy of rotating the position of Vice-Mayor every four (4) months. Since 1994, the rotation has been by Commission Group number. The next Vice-Mayor Group is Group I. The term for the next Vice-Mayor is November 20, 2003 through February 29, 2004. Commissioner Jose Smith (Group I) is next in the rotation to serve as Vice-Mayor.

JMG/REP

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ELECTING COMMISSIONER JOSE SMITH AS VICE-MAYOR FOR A TERM COMMENCING ON NOVEMBER 20, 2003, AND TERMINATING ON FEBRUARY 29, 2004, OR ON SUCH DATE WHEN A NEW VICE-MAYOR IS THEREAFTER ELECTED.

WHEREAS, pursuant to Section 2.04 of the Miami Beach City Charter: "The City Commission shall, at its first meeting after each general election, which shall be within three (3) days after the general election (or within thirty (30) days after the run-off election, if a run-off election is held) elect from its membership a Vice-Mayor who during the absence or disability of the Mayor, shall perform the duties of Mayor"; and

WHEREAS, the Mayor and City Commission established a policy of rotating the position of Vice-Mayor every four months; and

WHEREAS, for the term commencing on November 20, 2003, and terminating on February 29, 2004, the Mayor and City Commission herein elect Commissioner Jose Smith as Vice-Mayor.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA that Commissioner Jose Smith is hereby elected as Vice-Mayor of the City of Miami Beach, Florida, for a term commencing on November 20, 2003, and terminating on February 29, 2004, or on such date when a new vice mayor is thereafter elected.

PASSED and ADOPTED THIS 19th day of November, 2003.


ATTEST:

CITY CLERK

Mayor David Dermer

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**APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION**

 11-10-03
City Attorney Date



CITY OF MIAMI BEACH

NOTICE OF A SPECIAL CITY COMMISSION MEETING

The City of Miami Beach will hold a **Special City Commission meeting on Wednesday, November 19, 2003 at 11:00 a.m.**, in the Commission Chambers, 3rd floor, City Hall, 1700 Convention Center Drive, Miami Beach, Florida regarding Election related issues.

In addition, the City Commission may discuss other City business at this meeting.



Robert E. Parcher, City Clerk
City of Miami Beach

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